

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RALPH S. JANVEY, IN HIS CAPACITY §
AS COURT-APPOINTED RECEIVER §
FOR THE STANFORD §
INTERNATIONAL BANK, LTD., §
ET AL., §

Plaintiff, §

v. §

DILLON GAGE INC. OF DALLAS, *et al.*, §

Defendants. §

Civil Action No. 3:10-CV-1973-N

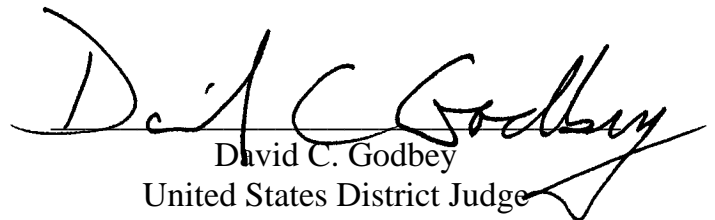
ORDER

This Order addresses Plaintiff Ralph S. Janvey’s (the “Receiver”) motion to strike and motion to dismiss Defendant Dillon Gage Inc. of Dallas’s (“Dillon Gage”) counterclaims [14]. The Court grants the motion in part.

As court-appointed receiver in the Stanford litigation, the Receiver qualifies for derivative judicial immunity from suit on Dillon Gage’s claims. *See, e.g., Davis v. Bayless*, 70 F.3d 367, 373–74 (5th Cir. 1995) (“Court appointed receivers act as arms of the court and are entitled to share the appointing judge’s absolute immunity provided that the challenged actions are taken in good faith and within the scope of the authority granted to the receiver.” (collecting cases)). Moreover, the Court’s order appointing the Receiver, *see* Second Am. Order Appointing Receiver [1130] (the “Receivership Order”), *in SEC v. Stanford Int’l Bank Ltd.*, Civil Action No. 3:09-CV-0298-N (N.D. Tex. filed Feb. 17, 2009), enjoined actions

against the Receiver and against former Stanford employees, to the extent those claims would burden the Receivership's assets. *Id.* at ¶ 10. The Court has previously dismissed parties' counterclaims against the Receiver, finding they are appropriately asserted through the Receivership's claims process. *See, e.g.*, June 5, 2014 Report & Recommendation [50], in *Janvey v. Wieselberg*, Civil Action No. 3:10-CV-1394-N (N.D. Tex. filed July 16, 2010). For the same reasons, the Court dismisses Dillon Gage's third-party claims and counterclaims without prejudice. The Court denies the Receiver's motion to strike the claims pursuant to Rule 12(f).

Signed April 16, 2015.


David C. Godbey
United States District Judge